

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Y.S., individually and on behalf of S.F., a child with
a disability,

Plaintiff,

-against-

23 CIVIL 7317 (JPC)

JUDGMENT

NEW YORK CITY DEPARTMENT OF
EDUCATION,

Defendant.
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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated 11/21/2024, the stay of this case is lifted, final judgment in accordance with the Court's Opinion and Order dated September 30, 2024, Dkt. 29, and the State Review Officer's decision on remand, *see* Dkt. 33-1, the Court has granted summary judgment in favor of Y.S. with regard to the SROs exclusion of allegations concerning her request for independent educational evaluations and has denied summary judgment to both parties on the issue of whether the October 2020 IEP, in failing to provide physical therapy services, denied S.F. a free and appropriate public education. In all other respects, the Court has granted the DOEs motion for summary judgment and has denied Y.S.'s motion for summary judgment. The Court has remanded this matter to the SRO to consider Y.S.'s claim regarding whether the DOE timely acted on Y.S.'s request for independent educational evaluations and, only to the extent required by any determination on that issue, to consider the adequacy of the October 2020 IEP with respect to its failure to include a mandate for physical therapy services. Accordingly the case is closed.

Dated: New York, New York

November 21, 2024

DANIEL ORTIZ
Acting Clerk of Court

BY:



Deputy Clerk